

STATE OF NEW YORK

6782--A

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

Introduced by M. of A. BRONSON, LUNSFORD, SILLITTI, CLARK, SLATER, JENSEN, ARDILA, EPSTEIN, SAYEGH, SHIMSKY, OTIS, MORINELLO, STIRPE -- read once and referred to the Committee on Higher Education -- recommended to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to including a faculty or staff member on the board of trustees of community colleges

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The opening paragraph of subdivision 1 of section 6306 of
2 the education law, as amended by chapter 268 of the laws of 2003, is
3 amended to read as follows:

4 Each community college, except in the city of New York, shall be
5 administered by a board of trustees of ~~[ten]~~ eleven members, nine of
6 whom shall be appointed for terms of seven years in annual rotation, and
7 ~~[one member]~~ two members elected as herein provided, except that initial
8 appointments shall be made for terms of one to nine years respectively.
9 Five members shall be appointed by the local legislative body or board,
10 or other appropriate governing agency, one of whom may be a member of
11 such local legislative body or board, or other appropriate governing
12 agency, four, from among persons residing in the sponsoring community,
13 by the governor and one member elected by and from among the students of
14 the college who shall serve as a member of the board for a one-year
15 term, provided, however, that the term of the student member first
16 elected shall be nine months commencing October first, nineteen hundred
17 seventy-five, and one of whom shall be elected by and from among the
18 faculty and staff of the college, ex-officio and non-voting, who shall
19 serve a two-year term, provided, however, that the term of the faculty
20 or staff member first elected shall commence July first, two thousand
21 twenty-five. The faculty or staff member and student member shall be

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 afforded the same parliamentary privileges as are conferred upon voting
2 members, including but not limited to the right to make and second
3 motions and to place items on the agenda. Such faculty or staff and
4 student member shall be subject to every provision of any general,
5 special or local law, ordinance, charter, code, rule or regulation
6 applying to the members of such board with respect to the discharge of
7 their duties including, but not limited to, those provisions setting
8 forth codes of ethics, disclosure requirements and prohibiting business
9 and professional activities. The election of the student member shall be
10 conducted in accordance with rules and regulations promulgated by the
11 respective representative campus student association in accordance with
12 guidelines established by the state university trustees. The election of
13 the faculty or staff member shall be conducted in accordance with rules
14 and regulations promulgated by the respective faculty senate or equiv-
15 alent faculty shared governance body of each campus. In the event that
16 the student member ceases to be a student at the institution, [~~he~~] they
17 shall be required to resign. In the event that the faculty or staff
18 member ceases to be an employee at the institution, they shall be
19 required to resign. The governor's initial appointments shall be for
20 terms of two, four, six and eight years respectively and those by local
21 authorities for terms of one, three, five, seven and nine years respec-
22 tively. Vacancies shall be filled for unexpired terms in the same manner
23 as original selections by the authority responsible for the original
24 selection. The board shall select its own [~~chairman~~] chair from among
25 its voting membership. Where two or more local sponsors join in the
26 establishment of a community college, the apportionment of the appoint-
27 ments among them shall be made by the state university trustees. Trus-
28 tees shall receive no compensation for their services but shall be reim-
29 bursed for their expenses actually and necessarily incurred by them in
30 the performance of their duties under this article. Members initially
31 appointed or elected under this subdivision to the board of trustees of
32 any community college hereafter established shall take office immediat-
33 ely upon their selection and qualification, but for purposes of determin-
34 ing the expiration of their respective terms and the commencement of the
35 terms of their successors, the term of office of each such initial
36 member shall be deemed to have commenced on the first day of July of the
37 year in which such college was established. The terms of office of all
38 members of the boards of trustees of community colleges heretofore
39 established, appointed or elected as provided in this subdivision, shall
40 terminate on the thirtieth day of June of the calendar year within which
41 such terms expire under the provisions of this subdivision as hereby
42 amended. For the purpose of determining such year all initial terms of
43 office of appointed members of the boards of trustees of community
44 colleges heretofore established shall be deemed to have commenced on the
45 first day of July of the year in which such colleges were established
46 and the terms of their successors for full terms, if any, shall be
47 deemed to have commenced upon the expiration of the number of years from
48 such date for which such initial appointments were made.

49 § 2. This act shall take effect immediately.